

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

JULIE DALESSIO, an individual,
Plaintiff,

v.

UNIVERSITY OF WASHINGTON, a
Washington Public Corporation; ELIZA
SAUNDERS, Director of the Office of
Public Records, in her personal and official
capacity; ALISON SWENSON, Compliance
Analyst, in her personal capacity; PERRY
TAPPER, Public Records Compliance
Officer, in his personal capacity; ANDREW
PALMER, Compliance Analyst, in his
personal capacity; JOHN or JANES DOES
1-12, in his or her personal capacity,
Defendants.

No. 2:17-cv-00642-MJP

JOINT STIPULATED MOTION TO
EXTEND TRIAL DATE

Noted: March 7, 2018

Pursuant to LCR 7(d)(1) and LCR 10(g), the parties jointly move this Court to extend the trial deadline. This Court has currently requested a response from Plaintiff to Defendants' Motion for Reconsideration (*Dkt. 155*) of the Court's Order on Defendants' Motion for Summary Judgment (*Dkt. 153*). This response is due March 11, 2019.

Both parties remain unclear about which defendants are still part of the lawsuit and therefore Plaintiff is unable to determine if additional discovery is necessary. Further, the Court's order seems to indicate Plaintiff's remaining claims were not dismissed due to a procedural defect which Defendants intend to remedy through a second motion for summary judgment if the Motion for Reconsideration is denied. Defendants will reserve filing the

second Motion for Summary Judgment until the Court has had the opportunity to rule on the Motion for Reconsideration. Plaintiff reserves the right to object to any additional dispositive motions and Defendants reserve the right to seek relief from the Court to file additional dispositive motions if necessary.

The court also recently directed the parties to confer about the status of three pending discovery motions, Dkt. Nos. 136, 138, and 150. Dkt. 154. Counsel for the parties did confer on February 25, 2019, but agreed that it was difficult to definitively determine the scope of potentially material outstanding discovery matters in light of uncertainty about the scope and impact of the court's summary judgment ruling in Dkt. 153. In the meantime, pre-trial deadlines are fast approaching.

In light of these uncertainties, both parties request the Court adjust several deadlines, including the trial date:

	Current Deadline	Requested Deadline
All motions related to discovery	January 7, 2019	April 1, 2019 (Limited to the Joint Discovery Motion ordered by the Court in <i>Dkt. 154</i> , if necessary, to clarify remaining issues in Dkt. Nos. 136, 138, 150.)
Motions in limine	April 1, 2019	TBD based on Court's trial availability
Agreed pretrial order	April 24, 2019	TBD based on Court's trial availability
Trial briefs, proposed voir dire questions, and proposed jury instructions	April 24, 2019	TBD based on Court's trial availability
Pretrial conference	April 26, 2019 at 2:30 PM	TBD based on Court's trial availability
TRIAL DATE	May 6, 2019	TBD based on Court's trial availability

The trial date is currently set for May 6, 2019, and motions in limine are due April 1, 2019. *Dkt. 96*. This schedule would require the parties to begin briefing pre-trial documents almost immediately, likely resulting in a significant waste of resources if the Court intends to dismiss the suit in full once Defendants address the perceived defect. Both parties wish to

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1 avoid expensive and time-consuming pre-trial litigation and certainly a trial if the case will
2 ultimately be dismissed on purely legal grounds.

3 Therefore, the parties respectfully request an order extending the trial date to a date
4 after August 1, 2019, to permit the Court to rule on the motion for reconsideration, which
5 should clarify its order as to the remaining defendants and claims. This will also permit
6 additional discovery (if necessary).

7
8 DATED: March 7, 2019

9 KEATING, BUCKLIN & McCORMACK, INC., P.S.

10
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CERTIFICATE OF SERVICE

I hereby certify that on March 7, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Attorneys for Plaintiff

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DATED: March 7, 2019

/s/ Jayne L. Freeman

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